

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

VERNON WAYNE NEAL,

Plaintiff,

v.

B. EVERT, et al.,

Defendants.

No. 2:22-cv-01360-TLN-AC

**ORDER**

Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On October 31, 2022, the findings and recommendations issued by the magistrate judge assigned to this action were adopted in their entirety. (ECF No. 9.) As a result, Plaintiff was ordered to pay the filing fees of \$402.00 in full prior to proceeding any further with this matter,<sup>1</sup> and he was given thirty days to do so. (*Id.* at 2.) At that time, Plaintiff was informed that a failure to do so would result in the dismissal of this case. (*Id.*)

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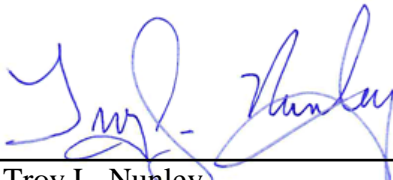
<sup>1</sup> Plaintiff has been determined to be a three strikes litigant within the meaning of 28 U.S.C. § 1915(g). (*See* ECF Nos. 7, 9.)

1 More than thirty days have passed, and there is no indication on the Court's docket that  
2 Plaintiff has paid the filing fees. Therefore, this matter will be dismissed.

3 Accordingly, IT IS HEREBY ORDERED that this matter is DISMISSED without  
4 prejudice for failure to pay the filing fees. *See* 28 U.S.C. § 1915(g).

5 **DATED: January 2, 2023**

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Troy L. Nunley  
United States District Judge